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Miguel Nassar Haro: friends in high places



U.S. Attorney William Kennedy

Doing His Job Too Well

A prosecutor is rebuked for pursuing a CIA-connected thief

William Kennedy, the U.S. Attorney in San Diego, was just trying to do his job. When Kennedy accepted the presidential appointment last November, he found himself heir to a 14-month investigation of a Mexican gang that was stealing cars in California and taking them back across the border. Twenty-eight gang members had been indicted by the time Kennedy took office, and he soon recommended prosecuting a 29th, Miguel Nassar Haro. The trouble was, this conspirator had friends, or at least protectors, in Washington.

Until last January, Nassar was the chief of Mexico's security police and one of the Central Intelligence Agency's most valuable sources in Mexico and Central America. For months, the Justice Department held up the indictment. When a San Diego *Union* reporter learned of the Justice Department's stalling and asked Kennedy for confirmation, the prosecutor readily provided it. As he told the newspaper: "I'm concerned about the victims—car owners or the insurance companies that have paid off claims." Last Monday Kennedy spent a day explaining his indiscretion to angry superiors in Washington; he is now under heavy pressure to resign.

It was not personal loyalty to Nassar that made Administration officials reluctant to prosecute the Mexican agent. They were more concerned with protecting the delicate, shadowy system of international intelligence cooperation. Nassar had headed Mexico's Directorate of Federal Security since 1977 and supplied the U.S. with important information about Salvadoran and Guatemalan guerrilla figures.

But Nassar and his DFS agents kept busy elsewhere as well. From 1979 to 1981, they and civilian members of the gang stole 600 cars from Southern California, then drove them across the border for sale

at an average \$14,000 apiece. One vehicle, a yellow Dodge van, was given by a DFS agent to Nassar. The thieves were known for their ruthlessness. When one south-bound caravan of stolen cars was delayed by a slow-moving farmer's truck in Mexico, according to the *Union*, an agent simply shot the man to death. Beatings and gunplay were routine.

Fourteen of the thieves, all Mexican nationals, pleaded guilty to conspiracy charges and are now in U.S. prisons for terms of up to 12½ years. Three were DFS agents, two of whom implicated their boss. Nassar is assumed to be in hiding in Mexico, and even if the Justice Department decides to proceed with an indictment, the Mexican government would be unlikely to extradite him.

Kennedy, 51, had been an efficient and unflamboyant San Diego County prosecutor for 23 years before taking the federal job. He is intensely devout, both as a Roman Catholic and a conservative Republican. Says one colleague: "He may have felt his credibility was on the line with this car-theft case, and he couldn't live with the idea that there was a crook out there who wasn't being caught." To Kennedy, explains another co-worker, "black is black, white is white, and good should triumph over evil."

Ironically, Kennedy could have been in even deeper trouble for telling what he knew of Nassar's CIA association. Just last month the House and Senate passed the Intelligence Identities Protection Act, which will become law as soon as a conference committee finishes its tinkering and President Reagan affixes his signature. Under one of the bill's provisions, Kennedy, who had been shown CIA documents detailing Nassar's work for the U.S., might have faced a ten-year prison term for revealing the name of a covert agent.